

Planning and Development Acts 2000 to 2022

Planning Authority: Louth County Council

Planning Register Reference Number: S5 2022/22

WHEREAS a question has arisen as to whether the change of use/conversion of a domestic garage to commercial gym at Knockatavey, Knockbridge, Dundalk, County Louth, is or is not development or is or is not exempted development:

AND WHEREAS Kevin Kirk care of Gareth Corcoran of 5 Cloonanna, Knockbridge, Dundalk, County Louth requested a declaration on the said question from Louth County Council and the Council issued a declaration on the 13th day of October, 2022 stating that the said matter is development and is not exempted development:

AND WHEREAS Kevin Kirk referred the declaration for review to An Bord Pleanála on the 9th day of November, 2022:

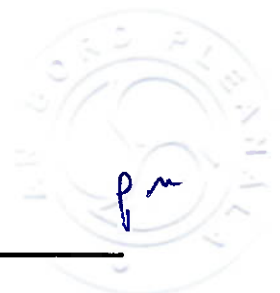


AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) sections 2, 3 and 4 of the Planning and Development Act, 2000, as amended,
- (b) article 10 of the Planning and Development Regulations, 2001, as amended,
- (c) the pattern of development in the area:

AND WHEREAS An Bord Pleanála has concluded that –

- (a) The proposed change of use from domestic garage to commercial gym represents a material change of use and, as such, constitutes development that would give rise to significant impacts in planning terms.
- (b) The proposed material change in the use of the domestic garage would not come within the scope of exempted development under article 10(1) as it would not consist of a change of use within Class 10 of Part 4 of Schedule 2 of the Planning and Development Regulations, 2001, as amended.
- (c) The subject change of use from domestic garage to commercial gym is, therefore, development and is not exempted development within the meaning of the Planning and Development Act, 2000, as amended, or the Planning and Development Regulations, 2001, as amended.



NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by section 5 (3) (a) of the 2000 Act, hereby decides that the change of use/conversion of a domestic garage to commercial gym at Knockatavey, Knockbridge, Dundalk, County Louth, is development and is not exempted development



Peter Mullan

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this *7th* day of *February*, 2024.